

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JONATHAN MONTE CORNISH : CIVIL ACTION  
: :  
v. : :  
: :  
GERALD ROZUM, et al. : NO. 08-5672

ORDER

AND NOW, this 11th day of February, 2010, upon  
consideration of Jonathan Monte Cornish's petition for writ of  
habeas corpus pursuant to 28 U.S.C. § 2254 (docket entry # 1), the  
Commonwealth's response thereto (docket entry # 8), Cornish's  
reply (docket entry # 10), and after careful and independent  
review of the Report and Recommendation of United States  
Magistrate Judge L. Felipe Restrepo, to which no one filed  
objections within the time that Local R. Civ. P. 72.1 IV(b)  
prescribes, and the Court finding that in Judge Restrepo's  
well-reasoned Report and Recommendation he properly examined all  
issues of fact and law that Cornish raised in his petition, it is  
hereby ORDERED that:

1. The Clerk of Court shall TRANSFER this case from  
our Civil Suspense docket to our Active docket;
2. The Report and Recommendation (docket entry # 12)  
is APPROVED and ADOPTED;

3. Cornish's petition for writ of habeas corpus  
(docket entry # 1) is DENIED;

4. Cornish having failed to make a substantial showing  
of the denial of a constitutional right, we decline to issue a  
certificate of appealability; and

5. The Clerk of Court shall CLOSE this case  
statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.